

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

ROY E. ERWIN, *et al.*,

Plaintiffs,

vs.

BRYAN F. RUSS, JR., *et al.*,

Defendants

Case No. 6:09-cv-127

NOTICE OF REQUEST FOR CRIMINAL REFERRAL

TO THE HONORABLE JUDGE WALTER S. SMITH, JR.:

Now come the Plaintiffs and notify the Court that they have asked Judge David Hittner to refer Judge Robert Stem and Defendant Bryan F. Russ to the United States Attorney's Office for the Western District of Texas for criminal investigation. *See Roy E. Erwin v. Bryan F. Russ, Jr., et al.*, Case No. 09-cv-1894 (S.D. Tex.) ("Houston Case"), Document 6 (a copy of which is attached).

Respectfully submitted,

/s/ Ty Clevenger

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CERTIFICATE OF SERVICE

I hereby certify that on October 28, 2009, a copy of this document was filed electronically, which should result in automatic notification of the attorneys below via the Court's electronic notification system:

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